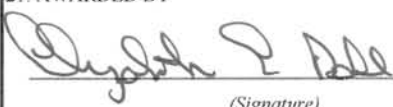


U.S. DEPARTMENT OF ENERGY
NOTICE OF FINANCIAL ASSISTANCE AWARD

Under the authority of Public Law Department of Energy Organization Act of 1977, as amended, Public Law 95-91, 42 U.S.C. 7101 et. seq., 31 U.S.C. 6301-6308

1. PROJECT TITLE Detailed Siting Study of The DOE Portsmouth Reservation to host GNEP Facilities		2. INSTRUMENT TYPE <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement	
3. RECIPIENT (Name, address, zip code) Piketon Initiative For Nuclear Independence LLC 127 Public Square, Suite 2700 Cleveland, OH 44114		4. INSTRUMENT NO. DE-FG07-07ID14795	5. AMENDMENT NO. A000
		6. BUDGET PERIOD FROM: 1/30/2007 THRU: 5/1/2007	7. PROJECT PERIOD FROM: 1/30/2007 THRU: 5/1/2007
8. RECIPIENT PROJECT DIRECTOR (Name, phone and Email) James B. Morgan 740-289-5212 jimmorgan@insolves.com		10. TYPE OF AWARD <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Renewal <input type="checkbox"/> Revision <input type="checkbox"/> Incremental Funding	
9. RECIPIENT BUSINESS OFFICER (Name, phone and Email) Nancy C. Keene 216-771-8444 nck@dantmoore.com			
11. DOE PROJECT OFFICER (Name, address, phone and Email) Deborah A. Swichkow 301-903-1633 U.S. DEPARTMENT OF ENERGY deborah.swichkow@nuclear.energy.gov NE-1/Germantown 1000 Independence Ave. S.W., MS NE-1 Washington, DC 20585-1290		12. ADMINISTERED FOR DOE BY (Name, address, phone and Email) Layne A. Isom 208-526-5633 U.S. DEPARTMENT OF ENERGY isomla@id.doe.gov IDAHO OPERATIONS OFFICE 1955 FREMONT AVENUE, MS 1221 IDAHO FALLS, ID 83415	
13. RECIPIENT TYPE <input type="checkbox"/> State Gov't <input type="checkbox"/> Indian Tribal Gov't <input type="checkbox"/> Hospital <input checked="" type="checkbox"/> For Profit Organization <input type="checkbox"/> Individual <input type="checkbox"/> Local Gov't <input type="checkbox"/> Institution of Higher Education <input type="checkbox"/> Other Nonprofit Organization <input type="checkbox"/> C <input type="checkbox"/> P <input type="checkbox"/> SP <input type="checkbox"/> Other (Specify)			
14. ACCOUNTING AND APPROPRIATION DATA: 2007/2006/02 /02814 /2823611 /ID /500201 /NA /NA /41000 /ID14795/NA /XID=40418			15. EMPLOYER ID: TIN: 20-5345747 DUNS: 784707833
16. BUDGET AND FUNDING INFORMATION			
a. CURRENT BUDGET PERIOD INFORMATION		b. CUMULATIVE DOE OBLIGATIONS	
(1) DOE Funds Obligated This Action	\$673,761.00	(1) This Budget Period	\$673,761.00
(2) DOE Funds Authorized for Carry Over	\$0.00	[Total of lines a.(1) and a.(3)]	
(3) DOE Funds Previously Obligated in this Budget Period	\$0.00	(2) Prior Budget Periods	\$0.00
(4) DOE Share of Total Approved Budget	\$673,761.00	(3) Project Period to Date	\$673,761.00
(5) Recipient Share of Total Approved Budget	\$0.00	[Total of lines b.(1) and b.(2)]	
(6) Total Approved Budget	\$673,761.00		
17. TOTAL ESTIMATED COST OF PROJECT, INCLUDING DOE FUNDS TO FFRDC \$673,761.00 (This is the current estimated cost of the project. It is not a promise to award nor an authorization to expend funds in this amount.)			
18. AWARD/AGREEMENT TERMS AND CONDITIONS This award/agreement consists of this form plus the following: a. Special terms and conditions. b. Applicable program regulations (Specify) (Date) _____ c. DOE Financial Assistance Regulations, 10 CFR Part 600 at http://ecfr.gpoaccess.gov or, if the award is a grant to a Federal Demonstrations Partnership (FDP) institution, the FDP Terms & Conditions and the DOE FDP agency Specific Requirements at http://www.nsf.gov/awards/managing/fed_dem_part.jsp d. Application/proposal as approved by DOE. e. National Policy Assurances to Be Incorporated as Award Terms at http://grants.pr.doe.gov			
19. REMARKS FFRDC Funding \$0.00 (Any FFRDC Funding will be provided directly to the lab and will not be available to Awardee.) SEE ATTACHED CONTINUATION SHEET(S)			
20. EVIDENCE OF RECIPIENT ACCEPTANCE _____ (Signature of Authorized Recipient Official) _____ (Name) _____ (Title)		21. AWARDED BY  _____ (Signature) Elizabeth E. Dahl _____ (Name) Contracting Officer _____ (Title)	

NFAA BLOCK 19. REMARKS: *(Continued)*

Award consists of the following:

Funding (see attached Budget Information sheet for revised data)

This amendment obligates \$673,761.00 for Budget Period 1.

Budget Period 1: Jan 30, 2007 thru May 01, 2007.

Directly Incorporated

Part I:

DOE Form 4600.1, Notice of Financial Assistance Award (NFAA), with Continuation Sheets

Part II:

DOE Federal Assistance Budget Information

Part III:

Statement of Objectives Statement of Objective

The objective of this award is to perform a detailed siting study resulting in a Detailed Site Report that provides the information for hosting the Consolidated Fuel Treatment Center (CFTC) and the Advanced Burner Reactor (ABR) facilities at the location specified in the submitted application. In addition, up to three informal community-involvement activities will be performed as part of this award to inform the state and local stakeholders of the purpose of the GNEP siting studies and obtain their opinions.

Information to support the Detailed Site Report must represent the best and most current information, be readily available in existing literature, and be available, or capable of being made available, for public review. The report must contain a completed Site Selection Reference Data Form for all data used to meet the deliverable requirements and be provided with the Detailed Site Report. The Detailed Site Report will be available to the public. Therefore, it shall not contain any proprietary data or other information not subject to public release.

The Detailed Site Report is to include identification of the site and the specific location within that site for the Consolidated Fuel Treatment Center (CFTC) and the Advanced Burner Reactor (ABR) facilities. The report must include the information as described below:

Regulatory and Permitting: Identify local, regional, state and national regulatory and environmental permits required for this facility, including legislative or regulatory prohibitions that might prevent siting such a facility.

For the informal community-involvement activities, the awardee must make it clear that (1) the purpose of this involvement is to solicit opinions regarding the Global Nuclear Energy Partnership (GNEP) siting studies; (2) the opinions will be provided to DOE as part of the siting study; and (3) other legal processes may be available where input may be given directly to DOE. Information obtained from the community involvement activities are to be provided in a report that summarizes the state and local stakeholder concerns, issues, and values. These summary(s) are due to DOE ten (10) working days after a meeting is held.

Part IV:

DOE Form 4600.2, Federal Assistance Reporting Checklist, with Report Distribution List

Part V:

Special Terms and Conditions

Addendum to Part V Special Terms and Conditions:

10 CFR 600.26(d) will not apply to this award. Project period extensions will not be considered due to the criticality of the period of performance.

Foreign travel costs will not be allowed under this award.

Intellectual Property Provisions (NRD-1003): Nonprofit organizations are subject to the intellectual property requirements at 10 CFR 600.136(a), (c) and (d). All other organizations are subject to the intellectual property requirements at 10 CFR 600.136(a) and (c).

Legal and legislative counsel expenses are restricted to a maximum of \$5,000 and are only approved for legal expertise involving contracts.

Web Design costs are limited to a maximum of \$4,000.

Awardee invoice submittals shall be accompanied by supporting documentation including but not limited to timecards, subcontractor invoices, travel vouchers, other receipts, etc. Subcontractor invoices submitted as part of the awardee's supporting documentation do not need to include further supporting documentation unless requested by the Contracting Officer. The awardee's supporting documentation can be attached to the awardee's invoice submittal through VIPERS or emailed directly to the Contract Administrator listed in Block 12 of the NFAA.

(End of Continuation Sheet)

U.S. Department of Energy
Federal Assistance Budget Information

1. Award Number DE-FG07-07ID14795	2. Awardee Name and Address Piketon Initiative For Nuclear Independence LLC 127 Public Square, Suite 2700 Cleveland, OH 44114					
3. Amendment No. A000						
4. Project Title Detailed Siting Study of The DOE Portsmouth Reservation to host GNEP Facilities				5. Project Period 1/30/2007 - 5/1/2007		
				6. Program Title 81.121 NUCLEAR ENERGY RESEARCH, DEVELOPMENT AND DEMONSTRATION		
SECTION A - BUDGET SUMMARY						
Budget Period	Start Date	End Date	Federal	Non-Federal	Total Approved Budget	Total Obligated Federal Funds
1	1/30/2007	5/1/2007	\$673,761.00	\$0.00	\$673,761.00	\$673,761.00
TOTALS			\$673,761.00	\$0.00	\$673,761.00	\$673,761.00
SECTION B - BUDGET CATEGORIES						
7. Object Class Categories	Period 1	Period 2	Period 3	Period 4	Period 5	Total
a. Personnel	\$67,600.00					\$67,600.00
b. Fringe Benefits	\$8,120.00					\$8,120.00
c. Travel	\$8,585.00					\$8,585.00
d. Supplies	\$7,200.00					\$7,200.00
e. Contracts - AREVA NC	\$349,894.00					\$349,894.00
f. Contracts - SODI	\$224,127.00					\$224,127.00
g. Indirect Costs	\$8,235.00					\$8,235.00
TOTALS	\$673,761.00					\$673,761.00

Note 1: All estimated future budget allocations are subject to availability of funds.

Note 2: If more than five budget periods exist, the budget details for Period 6 and beyond will be included in a separate attachment.

U.S. Department of Energy

FEDERAL ASSISTANCE REPORTING CHECKLIST AND INSTRUCTIONS

1. Identification Number: DE-FG07-07ID14795		2. Program/Project Title: 81.121 NUCLEAR ENERGY RESEARCH, DEVELOPMENT AND DEMONSTRATION Detailed Siting Study of The DOE Portsmouth Reservation to host GNEP Facilities	
3. Recipient: Piketon Initiative For Nuclear Independence LLC 127 Public Square, Suite 2700 Cleveland, OH 44114			
4. Reporting Requirements:	Frequency	No. of Copies	Addresses
A. MANAGEMENT REPORTING			
<input type="checkbox"/> Progress Report			
<input type="checkbox"/> Special Status Report			
B. SCIENTIFIC/TECHNICAL REPORTING			
Reports/Products must be submitted with appropriate DOE F 241. The 241 forms are available at www.osti.gov/eline .			
Report/Product	Form	A, B applies to any specified OSTI reports http://www.osti.gov/eline-2413 http://www.osti.gov/eline-2413 http://www.osti.gov/estsc/241-4pre.jsp	
<input type="checkbox"/> Final Scientific/Technical Report	DOE F 241.3		
<input type="checkbox"/> Conference papers/proceedings*	DOE F 241.3		
<input type="checkbox"/> Software/Manual	DOE F 241.3		
<input type="checkbox"/> Other (see special instructions)	DOE F 241.3		
* Scientific and technical conferences only			
C. FINANCIAL REPORTING			
<input type="checkbox"/> SF-269, Financial Status Report			
<input checked="" type="checkbox"/> SF-269A, Financial Status Report (Short Form)	F	via Email	A B
<input type="checkbox"/> SF-272, Federal Cash Transactions Report			
D. CLOSEOUT REPORTING			
<input checked="" type="checkbox"/> Patent Certification	F	via Email	A
<input checked="" type="checkbox"/> Property Certification	F	via Email	A
<input type="checkbox"/> Other			
E. OTHER REPORTING			
<input type="checkbox"/> Annual Indirect Cost Proposal			
<input type="checkbox"/> Annual Inventory of Federally Owned Property, if any			
<input checked="" type="checkbox"/> Other	A	via Email	
FREQUENCY CODES AND DUE DATES:			
A - Within 5 calendar days after events or as specified			
F - Final; 90 calendar days after expiration or termination of the award.			
Y - Yearly; 90 days after the end of the reporting period.			
S - Semiannually; within 30 days after end of reporting period.			
Q - Quarterly; within 30 days after end of the reporting period.			
5. Special Instructions:			
See page 7			

Federal Assistance Reporting Instructions (5/06)**A. MANAGEMENT REPORTING****Progress Report**

The Progress Report must provide a concise narrative assessment of the status of work and include the following information and any other information identified under Special Instructions on the Federal Assistance Reporting Checklist:

1. The DOE award number and name of the recipient.
2. The project title and name of the project director/principal investigator.
3. Date of report and period covered by the report.
4. A comparison of the actual accomplishments with the goals and objectives established for the period and reasons why the established goals were not met.
5. A discussion of what was accomplished under these goals during this reporting period, including major activities, significant results, major findings or conclusions, key outcomes or other achievements. This section should not contain any proprietary data or other information not subject to public release. If such information is important to reporting progress, do not include the information, but include a note in the report advising the reader to contact the Principal Investigator or the Project Director for further information.
6. Cost Status. Show approved budget by budget period and actual costs incurred. If cost sharing is required break out by DOE share, recipient share, and total costs.
7. Schedule Status. List milestones, anticipated completion dates and actual completion dates. If you submitted a project management plan with your application, you must use this plan to report schedule and budget variance. You may use your own project management system to provide this information.
8. Any changes in approach or aims and reasons for change. Remember significant changes to the objectives and scope require prior approval by the contracting officer.
9. Actual or anticipated problems or delays and actions taken or planned to resolve them.
10. Any absence or changes of key personnel or changes in consortium/teaming arrangement.
11.

A description of any product produced or technology transfer activities accomplished during this reporting period, such as:

 - A. Publications (list journal name, volume, issue); conference papers; or other public releases of results. Attach or send copies of public releases to the DOE Project Officer identified in Block 11 of the Notice of Financial Assistance Award.

B. Web site or other Internet sites that reflect the results of this project.

C. Networks or collaborations fostered.

D. Technologies/Techniques.

E. Inventions/Patent Applications

F. Other products, such as data or databases, physical collections, audio or video, software or netware, models, educational aid or curricula, instruments or equipment.

Special Status Report

The recipient must report the following events by e-mail as soon as possible after they occur:

1. Developments that have a significant favorable impact on the project.
2. Problems, delays, or adverse conditions which materially impair the recipient's ability to meet the objectives of the award or which may require DOE to respond to questions relating to such events from the public. The recipient must report any of the following incidents and include the anticipated impact and remedial action to be taken to correct or resolve the problem/condition:
 - a. Any single fatality or injuries requiring hospitalization of five or more individuals.
 - b. Any significant environmental permit violation.
 - c. Any verbal or written Notice of Violation of any Environmental, Safety, and Health statutes.
 - d. Any incident which causes a significant process or hazard control system failure.
 - e. Any event which is anticipated to cause a significant schedule slippage or cost increase.
 - f. Any damage to Government-owned equipment in excess of \$50,000.
 - g. Any other incident that has the potential for high visibility in the media.

B. SCIENTIFIC/TECHNICAL REPORTS

Final Scientific/Technical Report

Content. The final scientific/technical report must include the following information and any other information identified under Special Instructions on the Federal Assistance Reporting Checklist:

1. Identify the DOE award number; name of recipient; project title; name of project director/principal investigator; and consortium/teaming members.

2. Display prominently on the cover of the report any authorized distribution limitation notices, such as patentable material or protected data. Reports delivered without such notices may be deemed to have been furnished with unlimited rights, and the Government assumes no liability for the disclosure, use or reproduction of such reports.
3. Provide an executive summary, which includes a discussion of 1) how the research adds to the understanding of the area investigated; 2) the technical effectiveness and economic feasibility of the methods or techniques investigated or demonstrated; or 3) how the project is otherwise of benefit to the public. The discussion should be a minimum of one paragraph and written in terms understandable by an educated layman.
4. Provide a comparison of the actual accomplishments with the goals and objectives of the project.
5. Summarize project activities for the entire period of funding, including original hypotheses, approaches used, problems encountered and departure from planned methodology, and an assessment of their impact on the project results. Include, if applicable, facts, figures, analyses, and assumptions used during the life of the project to support the conclusions.
6. Identify products developed under the award and technology transfer activities, such as:
 - a. Publications (list journal name, volume, issue), conference papers, or other public releases of results. If not provided previously, attach or send copies of any public releases to the DOE Project Officer identified in Block 11 of the Notice of Financial Assistance Award;
 - b. Web site or other Internet sites that reflect the results of this project;
 - c. Networks or collaborations fostered;
 - d. Technologies/Techniques;
 - e. Inventions/Patent Applications, licensing agreements; and
 - f. Other products, such as data or databases, physical collections, audio or video, software or netware, models, educational aid or curricula, instruments or equipment.
7. For projects involving computer modeling, provide the following information with the final report:
 - a. Model description, key assumptions, version, source and intended use;
 - b. Performance criteria for the model related to the intended use;
 - c. Test results to demonstrate the model performance criteria were met (e.g., code verification/validation, sensitivity analyses, history matching with lab or field data, as appropriate);
 - d. Theory behind the model, expressed in non-mathematical terms;
 - e. Mathematics to be used, including formulas and calculation methods;

- f. Whether or not the theory and mathematical algorithms were peer reviewed, and, if so, include a summary of theoretical strengths and weaknesses;
- g. Hardware requirements; and
- h. Documentation (e.g., users guide, model code).

Electronic Submission. The final scientific/technical report must be submitted electronically via the DOE Energy Link System (E-Link) accessed at <http://www.osti.gov/elink-2413>.

Electronic Format. Reports must be submitted in the ADOBE PORTABLE DOCUMENT FORMAT (PDF) and be one integrated PDF file that contains all text, tables, diagrams, photographs, schematic, graphs, and charts. Materials, such as prints, videos, and books, that are essential to the report but cannot be submitted electronically, should be sent to the Contracting Officer at the address listed in Block 12 of the Notice of Financial Assistance Award.

Submittal Form. The report must be accompanied by a completed electronic version of DOE Form 241.3, "U.S. Department of Energy (DOE), Announcement of Scientific and Technical Information (STI)." You can complete, upload, and submit the DOE F.241.3 online via E-Link. You are encouraged not to submit patentable material or protected data in these reports, but if there is such material or data in the report, you must: (1) clearly identify patentable or protected data on each page of the report; (2) identify such material on the cover of the report; and (3) mark the appropriate block in Section K of the DOE F 241.3. Reports must not contain any limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release. Protected data is specific technical data, first produced in the performance of the award that is protected from public release for a period of time by the terms of the award agreement.

Conference Papers/Proceedings

Content: The recipient must submit a copy of any conference papers/proceedings, with the following information: (1) Name of conference; (2) Location of conference; (3) Date of conference; and (4) Conference sponsor.

Electronic Submission. Scientific/technical conference paper/proceedings must be submitted electronically via the DOE Energy Link System (E-Link) at <http://www.osti.gov/elink-2413>. Non-scientific/technical conference papers/proceedings must be sent to the URL listed on the Reporting Checklist.

Electronic Format. Conference papers/proceedings must be submitted in the ADOBE PORTABLE DOCUMENT FORMAT (PDF) and be one integrated PDF file that contains all text, tables, diagrams, photographs, schematic, graphs, and charts. If the proceedings cannot be submitted electronically, they should be sent to the DOE Administrator at the address listed in Block 12 of the Notice of Financial Assistance Award.

Submittal Form. Scientific/technical conference papers/proceedings must be accompanied by a completed DOE Form 241.3. The form and instructions are available on E-Link at <http://www.osti.gov/elink-2413>. This form is not required for non-scientific or non-technical conference papers or proceedings.

Software/Manual

Content. Unless otherwise specified in the award, the following must be delivered: source code, the executable object code and the minimum support documentation needed by a competent user to understand and use the software and to be able to modify the software in subsequent development efforts.

Electronic Submission. Submissions may be submitted electronically via the DOE Energy Link System (E-Link) at <http://www.osti.gov/estsc/241-4pre.jsp>. They may also be submitted via regular mail to:

Energy Science and Technology Software Center
P.O. Box 1020
Oak Ridge, TN 37831

Submittal Form. Each software deliverable and its manual must be accompanied by a completed DOE Form 241.4 “Announcement of U.S. Department of Energy Computer Software.” The form and instructions are available on E-Link at <http://www.osti.gov/estsc/241-4pre.jsp>.

C. FINANCIAL REPORTING

Recipients must complete the financial reports identified on the Reporting Checklist in accordance with the report instructions. These standard forms are available at <http://www.whitehouse.gov/omb/grants/index.html>. Fillable forms are available at <http://grants.pr.doe.gov>.

D. CLOSEOUT REPORTS

Final Invention and Patent Report

The recipient must provide a DOE Form 2050.11, “PATENT CERTIFICATION.” This form is available at <http://www.directives.doe.gov/pdfs/forms/2050-11.pdf> and <http://grants.pr.doe.gov>.

Property Certification

The recipient must provide the Property Certification, including the required inventories of non-exempt property, located at <http://grants.pr.doe.gov>.

E. OTHER REPORTING

Annual Indirect Cost Proposal and Reconciliation

Requirement. In accordance with the applicable cost principles, the recipient must submit an annual indirect cost proposal, reconciled to its financial statements, within six months after the close of the fiscal year, unless the award is based on a predetermined or fixed indirect rate(s), or a fixed amount for indirect or facilities and administration (F&A) costs.

Cognizant Agency. The recipient must submit its annual indirect cost proposal directly to the cognizant agency for negotiating and approving indirect costs. If the DOE awarding office is the cognizant agency, submit the annual indirect cost proposal to the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award.

Annual Inventory of Federally Owned Property

Requirement. If at any time during the award the recipient is provided Government-furnished property or acquires property with project funds and the award specifies that the property vests in the Federal Government (i.e. federally owned property), the recipient must submit an annual inventory of this property to the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award no later than October 30th of each calendar year, to cover an annual reporting period ending on the preceding September 30th.

Content of Inventory. The inventory must include a description of the property, tag number, acquisition date, location of property, and acquisition cost, if purchased with project funds. The report must list all federally owned property, including property located at subcontractor's facilities or other locations.

F. SPECIAL INSTRUCTIONS

Your performance in providing on-time report deliverables will be monitored by Procurement Services Division (PSD), Idaho Operations Office, Department of Energy. Reports not received by the specified due date are late. Overdue, inaccurate, or non-conforming reports are not acceptable. PSD will withhold payments or take other administrative actions as needed for non-compliance with reporting requirements (see 10 CFR 600.24). Only the Contracting Officer may waive or excuse required reports.

In order for accurate logging and processing of reports, it is critical that reports be sent to all the specified addressees and in the manner requested. PSD receives a copy of all reports via psdrept@id.doe.gov. The message subject line must include the award number.

Message Subject Line Example: DE-FC07-02ID99999, 4Q SF 269A Report.

The official award number must also be identified on all reports. A project number, if assigned by the program manager, may also be included, but is not a substitute for the official award number.

Report forms and additional report submittal guidance may be found on PSD's Internet web site at <http://www.id.doe.gov/doeid/psd/proc-div.html>. General guidance, in a question and answer format, is listed under "FA Report Submittal Guidance."

ADDITIONAL REPORTS

Report Name	Description	DueDate
Mid-term Progress Report	At the mid-point of the project period, in coordination with the Program Manager, a Progress Report will be presented in Washington, D.C.	03/15/2007
Summary of Community Involvement Activities	As described in the Statement of Objectives. Send to report addresses A and B.	05/01/2007
Detailed Site Report	As described in the Statement of Objectives. Send to report addresses A and B.	05/01/2007

REPORT ADDRESSEES

- A. Procurement Services Division (PSD): psdrept@id.doe.gov
- B. DOE Project Manager: Deborah A. Swichkow deborah.swichkow@nuclear.energy.gov
- C. DOE Headquarters' Program Manager:
cc: Headquarters' Technical Monitor:

(End of Part IV)

Special Terms and Conditions
Grants and Cooperative Agreements

RESOLUTION OF CONFLICTING CONDITIONS

Any apparent inconsistency between Federal statutes and regulations and the terms and conditions contained in this award must be referred to the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award for guidance.

PAYMENT PROCEDURES – REIMBURSEMENT THROUGH THE AUTOMATED CLEARING HOUSE (ACH) VENDER INQUIRY PAYMENT ELECTRONIC REPORTING SYSTEM (VIPERS)

- a. Method of Payment. Payment will be made by reimbursement through ACH.
- b. Requesting Reimbursement. Requests for reimbursements must be made electronically through Department of Energy's Oak Ridge Financial Service Center (ORFSC) VIPERS. To access and use VIPERS, you must enroll at <https://finweb.oro.doe.gov/vipers.htm>. Detailed instructions on how to enroll are provided on the web site. For non-construction awards, you must submit a Standard Form (SF) 270, "Request for Advance or Reimbursement" at <https://finweb.oro.doe.gov/vipers.htm> and attach a file containing appropriate supporting documentation. The file attachment must show the total federal share claimed on the SF 270, the non-federal share claimed for the billing period if cost sharing is required, and cumulative expenditures to date (both Federal and non-Federal) for each of the following categories: salaries/wages and fringe benefits; equipment; travel; participant/training support costs, if any; other direct costs, including subawards/contracts; and indirect costs. For construction awards, you must submit a SF 271, "Outlay Report and Request for Reimbursement for Construction Programs," through VIPERS.
- c. Timing of submittals. Submittal of the SF 270 or SF 271 should coincide with your normal billing pattern, but not more frequently than every two weeks. Requests for reimbursement must be limited to the amount of disbursements made during the billing period for the federal share of direct project costs and the proportionate share of any allowable indirect costs incurred during that billing period.
- d. Adjusting payment requests for available cash. You must disburse any funds that are available from repayments to and interest earned on a revolving fund, program income, rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds before requesting additional cash payments from DOE/NNSA.
- e. Payments. The DOE approving official will approve the invoice as soon as practicable but not later than 30 days after your request is received, unless the billing is improper. Upon receipt of an invoice payment authorization from the DOE approving official, the ORFSC will disburse payment to you. You may check the status of your payments at the VIPER web site. All payments are made by electronic funds transfer to the bank account identified on the ACH Vendor/Miscellaneous Payment Enrollment Form (SF 3881) that you filed.

REBUDGETING AND RECOVERY OF INDIRECT COSTS

- a. If actual allowable indirect costs are less than those budgeted and funded under the award, you may use the difference to pay additional allowable direct costs during the project period. If at the completion of the award the Government's share of total allowable costs (i.e., direct and indirect), is less than the total costs reimbursed, you must refund the difference.
- b. Recipients are expected to manage their indirect costs. DOE will not amend an award solely to provide additional funds for changes in indirect cost rates (See "Incremental Funding and Maximum Obligation article).

DOE recognizes that the inability to obtain full reimbursement for indirect costs means the recipient must absorb the underrecovery. Such underrecovery may be allocated as part of the organization's required cost sharing.

PRE-AWARD COSTS

You are entitled to reimbursement for costs incurred on or after , as authorized by the pre-award costs letter dated December 12, 2006, if such costs are allowable in accordance with the applicable Federal cost principles referenced in 10 CFR part 600.

USE OF PROGRAM INCOME

If you earn program income during the project period as a result of this award, you must deduct the program income from the total allowable project costs to determine the net allowable costs on which the Federal share is based.

STATEMENT OF FEDERAL STEWARDSHIP

DOE/NNSA will exercise normal Federal stewardship in overseeing the project activities performed under this award. Stewardship activities include, but are not limited to, conducting site visits; reviewing performance and financial reports; providing technical assistance and/or temporary intervention in unusual circumstances to correct deficiencies which develop during the project; assuring compliance with terms and conditions; and reviewing technical performance after project completion to insure that the award objectives have been accomplished.

SITE VISITS

DOE/NNSA's authorized representatives have the right to make site visits at reasonable times to review project accomplishments and management control systems and to provide technical assistance, if required. You must provide, and must require your subawardees to provide, reasonable access to facilities, office space, resources, and assistance for the safety and convenience of the government representatives in the performance of their duties. All site visits and evaluations must be performed in a manner that does not unduly interfere with or delay the work.

REPORTING REQUIREMENTS

a. Requirements. The reporting requirements for this award are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to this award. Failure to comply with these reporting requirements is considered a material noncompliance with the terms of the award. Noncompliance may result in withholding of future payments, suspension or termination of the current award, and withholding of future awards. A willful failure to perform, a history of failure to perform, or unsatisfactory performance of this and/or other financial assistance awards, may also result in a debarment action to preclude future awards by Federal agencies.

b. Dissemination of scientific/technical reports. Scientific/technical reports submitted under this award will be disseminated on the Internet via the DOE Information Bridge (www.osti.gov/bridge), unless the report contains patentable material, protected data or SBIR/STTR data. In addition, these reports must not contain any limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release. Citations for journal articles produced under the award will appear on the DOE Energy Citations Database (www.osti.gov/energycitations).

PUBLICATIONS (OCT 2004)

a. You are encouraged to publish or otherwise make publicly available the results of the work conducted under the award.

b. An acknowledgment of Federal support and a disclaimer must appear in the publication of any material, whether copyrighted or not, based on or developed under this project, as follows:

Acknowledgment: "This material is based upon work supported by the Department of Energy [National Nuclear Security Administration] [add name(s) of other agencies, if applicable] under Award Number(s) [enter the award number(s)]."

Disclaimer: "This report was prepared as an account of work sponsored by an agency of the United States Government. Neither the United States Government nor any agency thereof, nor any of their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or favoring by the United States Government or any agency thereof. The views and opinions of authors expressed herein do not necessarily state or reflect those of the United States Government or any agency thereof."

FEDERAL, STATE, AND MUNICIPAL REQUIREMENTS

You must obtain any required permits and comply with applicable federal, state, and municipal laws, codes, and regulations for work performed under this award.

INTELLECTUAL PROPERTY PROVISIONS AND CONTACT INFORMATION

a. The intellectual property provisions applicable to this award are provided as an attachment to this award or are referenced in Block 19 of the Notice of Financial Assistance Award.

b. Questions regarding intellectual property matters should be referred to the Patent Counsel designated as the service provider for the DOE office that issued the award. The IP Service Providers List is found at <http://www.gc.doe.gov/gcmain.html>. Click on Intellectual Property and Laboratory Partnering, and then click on IP Service Providers List.

LOBBYING RESTRICTIONS

By accepting funds under this award, you agree that none of the funds obligated on the award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

NOTICE REGARDING THE PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS -- SENSE OF CONGRESS

It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this award should be American-made.